

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CR. NO. 3:24-CR- 270
	:	
v.	:	
	:	(Judge Mannion)
NAQUANN SIMMONS,	:	
EVA KELLY SMITH,	:	
and	:	
EUGENE DAVID DEININGER	:	
	:	
Defendants.	:	

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

18 U.S.C. §§ 922(a)(6) and 924(a)(2) and 2
(False Statements in the Acquisition of Firearms, Aid and Abet)

On or about September 22, 2022, in Luzerne County, within the
Middle District of Pennsylvania, the defendants,

NAQUANN SIMMONS and EVA KELLY SMITH,

in connection with the acquisition of two firearms, that is, SCCY, Model
CPX-2, 9mm Pistol, bearing serial number C425924 and a SCCY, Model
CPX-2, 9mm Pistol, bearing serial number C430808, from Gippy's Gun
Shop, 726 Wilkes-Barre Township Boulevard, Wilkes-Barre Township,

Luzerne County, Pennsylvania, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made false and fictitious written statements to Gippy's Gun Shop that were intended and likely to deceive Gippy's Gun Shop as to a fact material to the lawfulness of the sale of the firearms under Chapter 44 of Title 18 in that Smith falsely stated that she was the actual purchaser of the firearms.

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2) and (2).

THE GRAND JURY FURTHER CHARGES:

COUNT 2

18 U.S.C. § 924(c)(1)(A)(i).

(Possession of a Firearm in Furtherance of Drug Trafficking)

On or about September 22, 2022, in Luzerne County, within the Middle District of Pennsylvania, the defendant,

NAQUANN SIMMONS,

did knowingly possess a firearm in furtherance of a drug trafficking crime to wit: a SCCY, Model CPX-2, 9mm Pistol, serial number C425924 and a SCCY, Model CPX-2, 9mm Pistol, serial number

C430808, for which he may be prosecuted in a court of the United States, that is, distribution of heroin, a Schedule I controlled substance, a violation of Title 21, United States Code, Section 841.

In violation of Title 18 United States Code, Section 924(c)(1)(A)(i).

THE GRAND JURY FURTHER CHARGES:

COUNT 3

18 U.S.C. §§ 922(a)(6) and 924(a)(2) and 2
(False Statements in the Attempted Acquisition of Firearms, Aid and Abet)

On or about August 15, 2023, in Luzerne County, within the Middle District of Pennsylvania, the defendants,

NAQUANN SIMMONS and EUGENE DAVID DEININGER,
in connection with the attempted acquisition of two firearms, that is, a Smith & Wesson model 908 9mm pistol bearing serial number VJP1357 and a Glock Model 19 9mm pistol bearing serial number BZGX021, from Bear's Gun Room, 1546 Rt 315, Wilkes-Barre, Luzerne County, Pennsylvania, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made false and fictitious written statements to Bear's Gun Room that were intended

and likely to deceive Bear's Gun Room as to a fact material to the lawfulness of the sale of the firearms under Chapter 44 of Title 18 in that Deininger falsely stated that he was the actual purchaser of the firearms.


In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2) and (2).

A TRUE BILL



FOREPERSON

GERARD M. KARAM
United States Attorney



JENNY R. ROBERTS
Assistant United States Attorney

10-1-24

Date